



General Assembly

February Session, 2002

Amendment

LCO No. 5469

HB0575705469HD0

Offered by:

REP. HAMM, 34th Dist.

REP. O'ROURKE, 32nd Dist.

REP. SERRA, 33rd Dist.

REP. RACZKA, 100th Dist.

SEN. CIOTTO, 9th Dist.

SEN. GAFFEY, 13th Dist.

To: Subst. House Bill No. 5757

File No. 420

Cal. No. 261

**"AN ACT CONCERNING NOTIFICATION OF PARTIES UPON THE
REPORTED ABUSE OF A CHILD COMMITTED TO THE
DEPARTMENT OF CHILDREN AND FAMILIES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 46b-148 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2002*):

5 When a child whose family has been adjudicated as a family with
6 service needs in accordance with section 46b-149 violates any valid
7 order which regulates future conduct of the child made by the court
8 following such an adjudication, a probation officer, on receipt of a
9 complaint setting forth facts alleging such a violation, or on [his] such
10 probation officer's own motion on the basis of [his] such probation
11 officer's knowledge of such a violation, may file a petition with the
12 court alleging that the child has committed a delinquent act by reason

13 of having violated a valid court order and setting forth the facts
14 claimed to constitute such a violation. Such child may be processed as
15 any other delinquent child under this chapter, except that (1) such
16 child shall not be held in detention prior to a hearing on such petition
17 for more than seventy-two hours excluding Saturdays, Sundays and
18 holidays; and (2) in entering any order that directs or authorizes
19 placement in a facility under the auspices of the Office of Alternative
20 Sanctions or commitment to the Department of Children and Families,
21 the judge shall make a determination that there is no less restrictive
22 alternative appropriate to the needs of the child and the community.
23 Notwithstanding the provisions of this section, no such child shall be
24 sentenced to or placed in the Connecticut Juvenile Training School
25 unless the child has previously been placed in a residential facility in
26 the state under a contract with the Department of Children and
27 Families and such placement has failed to positively alter the child's
28 behavior.

29 Sec. 2. (NEW) (*Effective October 1, 2002*) The Department of Children
30 and Families shall immediately provide alternatives to placement at
31 the Connecticut Juvenile Training School by developing community-
32 based treatment services and programs that will be available to
33 children who are members of families with service needs and will meet
34 the needs of such children, including programs with respect to
35 truancy, and treatment services and programs for children in the
36 juvenile justice system with serious mental health, substance abuse or
37 other specialized needs. Such services and programs shall provide
38 mental health interventions, including multi-systemic therapy,
39 functional family therapy, treatment foster care and group homes.
40 Such services and programs shall qualify for use through HUSKY
41 contracts or for federal financial participation through Title IV-E of the
42 federal Social Security Act, as amended, or Early Periodic Screening
43 and Diagnostic Treatment Medicaid funds.

44 Sec. 3. (NEW) (*Effective from passage*) (a) The Commissioner of
45 Children and Families shall continue to provide a mandatory training
46 program on the use of physical restraints for all staff members

47 employed at the Connecticut Juvenile Training School on the effective
48 date of this section and all staff members hired after the effective date
49 of this section. Such training shall emphasize verbal defusing or de-
50 escalation techniques, or both, prevention strategies and credentialed
51 debriefing strategies for both the child and the staff members after a
52 physical restraint has been used. Such training shall be completed for
53 staff members employed on the effective date of this section not later
54 than January 1, 2003, and for staff members hired on or after the
55 effective date of this section not later than three months after the date
56 of hire, except that staff members employed on the effective date of
57 this section who have received training prior to said date shall not be
58 required to be retrained.

59 (b) In order to reduce the use of physical restraints at the
60 Connecticut Juvenile Training School, the commissioner shall establish
61 a crisis response team, the members of which shall include clinical
62 staff. The team shall review every use of a physical restraint to
63 determine if such use is in accordance with chapter 814e of the general
64 statutes and regulations adopted by the commissioner pursuant to
65 subsection (d) of section 17a-16 of the general statutes. The team shall
66 provide an assessment of a child and staff action before and after each
67 use of a physical restraint.

68 Sec. 4. (*Effective from passage*) (a) From July 1, 2002, to July 1, 2003,
69 the Department of Children and Families shall continue to allow the
70 quality improvement specialist selected by the Office of the Child
71 Advocate, and reporting directly to the Child Advocate, to monitor the
72 implementation of treatment services and programs at the Connecticut
73 Juvenile Training School. The quality improvement specialist shall
74 have unlimited access to the grounds and all the records of the
75 Connecticut Juvenile Training School for the purpose of assisting the
76 Department of Children and Families to improve the quality of the
77 services and programs at the school. The department and the Office of
78 the Child Advocate shall enter into a memorandum of understanding
79 that shall specify the responsibilities and functions of the quality
80 improvement specialist.

81 (b) The quality improvement specialist shall, in the performance of
82 such specialist's responsibilities as the agent of the Child Advocate,
83 have the same authority and power as granted to the Child Advocate
84 pursuant to section 46a-13l of the general statutes, and shall have the
85 same access to information, including the power to issue subpoenas,
86 and responsibility for maintaining the confidentiality of information as
87 the Child Advocate has pursuant to sections 46a-13m and 46a-13n of
88 the general statutes.

89 Sec. 5. (NEW) (*Effective from passage*) (a) The Commissioner of
90 Children and Families shall prepare semi-annual reports, as provided
91 in subsection (b) of this section, with respect to the Connecticut
92 Juvenile Training School.

93 (b) Each report shall contain the following information concerning
94 children at the Connecticut Juvenile Training School for the prior six-
95 month period: (1) The number of children at the school, the court
96 locations that sentenced the children and the number of children
97 sentenced from each such court location, the offense for which the
98 child was convicted, the percentage of children in need of substance
99 abuse treatment, information concerning the educational level of the
100 children and the number of children requiring special education and
101 related services, the number of children discharged to residential
102 placement, the number of children discharged to the community due
103 to expiration of the period of commitment, and the number of children
104 returned to the Connecticut Juvenile Training School; and (2) a
105 summary of each child's assessment upon admission to the
106 Connecticut Juvenile Training School and the diagnosis of each child
107 after such intake assessment at the Connecticut Juvenile Training
108 School.

109 (c) In compiling the semi-annual reports required by this section, no
110 names or other personal identifying information shall be included.

111 (d) The reports required under this section shall be submitted to the
112 chairpersons, vice-chairpersons and ranking members of the joint

113 standing and select committees of the General Assembly having
 114 cognizance of matters relating to the judiciary, human services and
 115 children in accordance with the provisions of section 11-4a of the
 116 general statutes. The first report shall be submitted not later than
 117 September 15, 2002, and shall reflect data for the month of August,
 118 2002 and the second report shall be submitted not later than January
 119 15, 2003, and shall reflect data for the month of December, 2002.
 120 Thereafter, a report shall be submitted semi-annually on July fifteenth
 121 and January fifteenth with respect to the prior six months.

122 Sec. 6. (*Effective from passage*) It is the intent of the General Assembly
 123 that the Department of Children and Families initiate a differential
 124 response system. On or before July 1, 2003, the Department of Children
 125 and Families may establish a differential response pilot program in up
 126 to two of the department's regional offices, one in an urban area and
 127 one in a rural area. For purposes of the pilot program, the department
 128 shall develop and use an assessment standard to determine which
 129 reports of abuse and neglect pursuant to section 17a-101g of the
 130 general statutes, require a full investigation and which reports may be
 131 referred to community-based agencies for services. The standard shall
 132 take into account the nature of the report and the level of risk to the
 133 child. Notwithstanding the provisions of chapter 319a of the general
 134 statutes, under the pilot program, department staff shall refer low-risk
 135 reports to community-based agencies for services. On or before
 136 January 1, 2003, the Commissioner of Children and Families shall
 137 report, in accordance with section 11-4a of the general statutes, on the
 138 progress of the pilot program to the select committee of the General
 139 Assembly having cognizance of matters relating to children."

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>

